



State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

CN# 01-10

MEMORANDUM

To: School Health & Nutrition Program Sponsors

From: Tina Herzog, Acting Deputy Associate Superintendent
Arizona Department of Education, Health & Nutrition Unit

Nicholas Dunford, Financial Services Director
Arizona Department of Education, Health & Nutrition Unit

Date: July 10, 2009

RE: Caterer Agreement Documents Revision

The Arizona Department of Education (ADE) has made modifications to the "Standard Agreement to Provide Food Services between a Sponsor and Food Service Vendor" document. This Agreement is used when a School Food Authority (SFA) is contracting for food services with a Caterer. Typically, a Caterer will provide off-site food preparation and the delivery of meals to the Sponsor. Caterers are most commonly utilized by Sponsors who do not have the facilities necessary to produce their own meals for the Child Nutrition Programs. Please use this template for all future Agreements.

The major changes are:

1. In the first paragraph ADE is asking for the "estimated value of this agreement for the term of the contract including allowable renewals."
2. In section 1.4, ADE is requiring that the Sponsor insert the "price per meal" for each program that the Sponsor will be contracting for, such as: the National School Lunch Program (NSLP), School Breakfast Program (SBP), After School Care Snack Program (ASCS) and Summer Food Service Program (SFSP).
3. In sections 1.13 and 2.16 Commodities, there are a number of changes, such as the commodities can only be obtained at the Sponsor site. The sections meet the new

requirements created in 7 CFR Part 250 established in the final rule, “Management of Donated Foods in the Child Nutrition Programs, the Nutrition Services Incentive Program, and Charitable Institutions” which was published in the Federal Register on August 8, 2008.

4. A new section 1.14 has been added titled Offer Free and Reduced Meals.
5. A new section 1.15 has been added titled Buy American.
6. A new section 1.16 has been added titled Energy Policy and Conservation Act.
7. A new section 1.17 has been added titled HACCP.
8. A new section 2.1 has been added titled Retain Control of Food Service Program.
9. A new section 2.2 has been added titled Food Service Operation Conformance.
10. A new section 2.3 has been added titled Financial Responsibility.
11. A new section 2.4 has been added titled Signature Authority.
12. A new section 2.5 has been added titled Price Control.
13. A new section 2.6 has been added titled Household Application.
14. A new section 2.7 has been added titled Contract Document.
15. A new section 2.8 has been added titled Program Monitoring.
16. A new Segment 4.0 has been added to the Agreement and titled Vendor Certification Statements.

The new caterer template can be found on the ADE website located at www.ade.az.gov/health-safety/cnp/nslp/Operating/ContractingwithCaterer/. If you have any questions or concerns regarding this memo, please contact the Health & Nutrition, Contracts Management Officer, Ellen Pimental at (602) 542-6208 or email at Ellen.pimental@azed.gov.